



Docket No. END-796USDIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David A. Witt, et al.
Serial No. : 09/982,744 Art Unit: 3731
Filed : October 18, 2001 Examiner: Julian W. Woo
For : CURVED CLAMP ARM TISSUE PAD ATTACHMENT FOR USE WITH
ULTRASONIC SURGICAL INSTRUMENTS

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January 20 2005
(Date of Deposit)

Linda F. Hansen
(Name of applicant, person signing, assignee, or Registered Representative)

Linda F. Hansen
(Signature)

January 20 2005
(Date of Signature)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/END-796DIV/VEK the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ There are no listed references which are not in the English language.

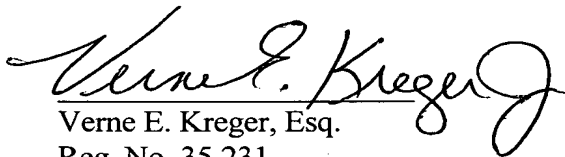
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

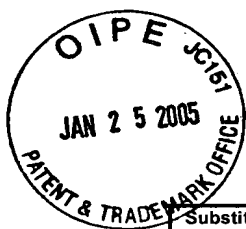
☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-796USDIV/VEK. This form is submitted in triplicate.

Respectfully submitted,


Verne E. Kreger, Esq.
Reg. No. 35,231
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3535
DATED: January 19, 2005



PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 5

| | |
|-------------------------------|-----------------------|
| Application Number | 09/982,744 |
| Filing Date | October 18, 2001 |
| First Named Inventor | David A. Witt, et al. |
| Group Art Unit | 3731 |
| Examiner Name | Julian W. Woo |
| Attorney Docket Number | END796USDIV |

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. 1 | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines, where relevant passages or relevant figures appear |
|----------------------|------------------|----------------------|--------------------------------------|--|--|---|
| | | Number | Kind Code ² (if known) | | | |
| | | 2,990,616 | | Balamuth et al. | 7/4/1961 | ALL |
| | | 3,053,124 | | Balamuth et al. | 11/16/1959 | ALL |
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| | | 3,830,240 | | Anteonevich et al. | 8/20/1974 | ALL |
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| | | 3,990,452 | | Murry et akl. | 11/9/1976 | ALL |
| | | 4,136,700 | | Broadwin et al. | 1/30/1979 | ALL |
| | | 4,169,984 | | Parisi | 10/2/1979 | ALL |
| | | 4,526,571 | | Wukchinich | 7/2/1985 | ALL |
| | | 4,634,419 | | Kriezman et al. | 1/6/1987 | ALL |
| | | 4,911,161 | | Schnecter | 3/27/1990 | ALL |
| | | 4,920,954 | | Alliger et al. | 5/1/1990 | ALL |
| | | 4,974,581 | | Wiksell | 12/4/1990 | ALL |
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| | | 5,019,083 | | Klapper e al. | 5/28/1991 | ALL |
| | | 5,047,008 | | De Juan, Jr. et al. | 9/10/1991 | ALL |
| | | 5,047,043 | | Kubota et al. | 9/10/1991 | ALL |
| | | 5,057,119 | | Clark et al. | 10/15/1991 | ALL |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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Sheet 2 of 5

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| | | 5,059,210 | | Clark et al. | 10/22/1991 | |
| | | 5,180,363 | | Idemoto et al. | 1/19/1993 | ALL |
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| | | 5,489,292 | | Tovey, et al. | 02-06-1996 | ALL |

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Sheet 3 of 5

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| | | 5,531,597 | | Foulkes et al | 7/2/1996 | ALL |
| | | 5,630,420 | | Vaitekunas | 5/20/1997 | ALL |
| | | 5,653,724 | | Imonti | 8/5/1997 | ALL |
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| | | D 344,799 | | Hood et al. | 3/1/1994 | ALL |
| | | D 345,794 | | Hood et al. | 4/5/1993 | ALL |
| | | | | | | ALL |
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Sheet 4 of 5

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| Examiner Name | Julian W. Woo |
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

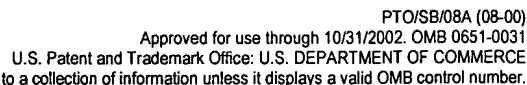
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| <i>Examiner Name</i> | Julian W. Woo |
| <i>Attorney Docket Number</i> | END796USDIV |

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| <p align="center">SUBMISSION UNDER MPEP 609 D</p> <p align="center">Page 1 of 1</p> | <i>Application Number</i> | 09/982,744 |
| | <i>Filing Date</i> | October 18, 2001 |
| | <i>First Named Inventor</i> | David A. Witt, et al. |
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| | <i>Examiner Name</i> | Julian W. Woo |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. ¹ | Name of Patentee or Applicant of Cited Document | Foreign Patent Document | | | Pages, Columns, Lines, where relevant passages or relevant figures appear | T ⁶ |
|----------------------|--------------------------|--|-------------------------|---------------------|-----------------------|--|----------------|
| | | | Office ³ | Number ⁴ | KindCode ⁵ | | |
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner 's Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|-----------------------------|--------------------------|--|----------------|
| | | EPO Search Report dated August 3, 2004 for related patent application 09/412,257, European Patent Application No. 00 96 1666. | |
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